

EDWARD GUTIERREZ
 BGJ774/06083690
 150 W. HEDDING ST.
 SAN JOSE, CA. 95110.

FILED
 IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 FEB 19 PM 1:19

EDWARD GUTIERREZ
 PLAINTIFF,

V.

SANTA CLARA COUNTY
 DEPARTMENT OF CORRECTION;
 MEDICAL DEPARTMENT;
 EDWARD C. FLORES, CHIEF
 OF CORRECTIONS, CAPTAIN
 D. SEPULVEDA, JAIL COM-
 MANDER, % WARFIELD#
 2642, DR. ALEXANDER
 CHYORNY, LORI HORN, RN,
 DR. JOHN G. LUKRICH,
 DR. MARIA JUAREZ-REYES,
 DR. ANITA GADDIPATI,
 DR. G. VERSALES, et al.,
 DEFENDANTS

NO. CO-07-4251 (MMG-CPR)

NOTICE OF MOTION FOR
 RELEASE OF DOCUMENTS PURSUANT
 TO SUBPOENA DUCES TECUM;
 DECLARATION.

DATE:
 TIME:
 DEPT:

TO: THE CLERK OF THE ABOVE-ENTITLED COURT, THE
 DEFENDANTS, AND COUNSEL FOR DEFENDANTS.

NOTICE IS HEREBY GIVEN THAT ON _____ AT
 _____ IN DEPARTMENT _____ OF THE ABOVE-ENTITLED
 COURT LOCATED AT 450 GOLDEN GATE AVENUE SAN FRANCISCO,
 CALIFORNIA 94102 THE PLAINTIFF WILL MOVE THE COURT
 FOR RELEASE RECORDS SUBPOENAED TO COURT PURSUANT
 TO FEDERAL RULES OF CIVIL PROCEDURES RULE: 34,
 AND 45 AS ALLEGED AND SUPPORTED BY GOOD
 CAUSE FOR THE PRODUCTION OF SAID RECORDS AS
 SHOWN BY THE ATTACHED DECLARATION OF
 PLAINTIFF EDWARD GUTIERREZ, AND OTHER
 EVIDENCE, ORAL OR DOCUMENTARY, AS MAY BE
 PRESENTED AT SAID HEARING.

RESPECTFULLY SUBMITTED



DATE: _____

Edward Gutierrez
 EDWARD GUTIERREZ, PLAINTIFF.

DECLARATION.

1 I EDWARD GUTIERREZ, DECLARE THAT:
2 I AM THE PLAINTIFF, EN PROPRIA PERSONA IN THE
3 ABOVE-ENTITLED CAUSE. SAID ACTION IS A CIVIL
4 PROCEDURE PRO SE, UNDER 42 U.S.C. § 1983.
5 THAT THIS DECLARATION IS IN SUPPORT OF THE
6 PLAINTIFF'S MOTION FOR THE RELEASE OF
7 DOCUMENTS. A COPY OF THE SUBPOENA DUCE
8 TECUM IS ATTACHED AS EXHIBIT 1. FOR
9 THE SANTA CLARA COUNTY DEPARTMENT OF
10 CORRECTION MEDICAL DEPARTMENT HEALTH
11 INFORMATION TECHNICIAN.
12 SUCH RECORDS ARE NECESSARY TO FURTHER
13 PROCEED IN THIS ACTION AS THEY ARE LIKELY
14 TO CONTAIN RELEVANT AND MATERIAL EVIDENCE
15 ON THE ISSUE OF GUILT OR INNOCENCE OF THE
16 DEFENDANT(S) IN THE ABOVE-ENTITLED CASE
17 AND THAT THERE EXISTS GOOD CAUSE FOR THE
18 PRODUCTION OF THE ABOVE RECORDS.
19 WHEREFORE, I REQUEST THAT SAID RECORDS BE
20 RELEASED TO PLAINTIFF FOR BOTH PARTIES
21 ON.

22 I DECLARE UNDER PENALTY OF PERJURY
23 THE FOREGOING IS TRUE AND CORRECT, AND AS
24 AS TO THOSE MATTERS STATED UPON INFORM-
25 ATION AND BELIEF I BELIEVE THEM TO BE TRUE
26 AND THAT THIS DECLARATION WAS SIGNED ON
27 _____ AT SAN JOSE, CALIFORNIA.

28 
EDWARD GUTIERREZ, 
PLAINTIFF.

DEAR COURT CLERK,

I AM SENDING A SUBPOENA DUCES
TECUM IN HOPE THAT YOU CAN FILL IN AN
APPOINTED DATE, TIME, AND DEPARTMENT SIGNED
AND FILED AND SEND ME A COPY SO I
CAN HAVE AN OFFICER SERVE THIS
SUBPOENA TO THE LISTED PARTIES...
PLEASE?

RESPECTFULLY Yours

~~E. Gutierrez~~

EDWARD GUTIERREZ

BGT774 / 06083690

150 W. HEDDING ST.

SAN JOSE, CA. 95110.

AO88 (Rev. 12/07) Subpoena in a Civil Case

Issued by the
UNITED STATES DISTRICT COURT

Northern District of California

EDWARD GUTIERREZ
 PLAINTIFF,

SUBPOENA IN A CIVIL CASE

V.
SANTA CLARA COUNTY DEPARTMENT
OF CORRECTION MEDICAL DEPT.,
 et al.,

Case Number:¹ **NO. C07-4251 MMC (PR)**

DEFENDANT(S).

TO: **ALL DEFENDANT(S) LISTED ON PAGE 1 ABOVE...**
"ALL" SAME ADDRESS: 150 W. HEDDING ST.
SAN JOSE, CA. 95110.

- ☐ YOU ARE COMMANDED to appear in the United States District court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY	COURTROOM
	DATE AND TIME

- ☐ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION	DATE AND TIME

- ☒ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects):


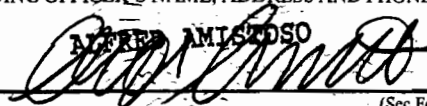
ALL DOCUMENTS / RECORDS LISTED ON PAGE 5 OF THE
FOLLOWING DECLARATION.

PLACE U.S. DISTRICT COURT NORTHERN DISTRICT.	DATE AND TIME

- ☐ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES	DATE AND TIME

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rule of Civil Procedure 30(b)(6).

ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)  PLAINTIFF.	DATE 2/20/08
ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER  MARIA AMADOR	

(See Federal Rule of Civil Procedure 45 (c), (d), and (e), on next page)

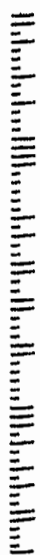
¹ If action is pending in district other than district of issuance, state district under case number.

EDWARD GUTIERREZ
BGJ 774 / 06083690
150 W. HEDDING ST
SAN JOSE, CA. 95110
CASE NO. C07-4251 MMC(RR)



OFFICE OF THE CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA.
450 GOLDEN GATE AVENUE
SAN FRANCISCO, CA. 94102.

94102+3661 C004



LEGIT MAIL